

Application Serial No.: 10/642,762
Reply to Office Action dated January 15, 2004, and
Supplemental to Preliminary Amendment filed on January 20, 2004
Satoshi MURAMATSU, et al.

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 9-44 are presently active in this case, Claims 1-8 having been canceled without prejudice or disclaimer in the Preliminary Amendment filed on January 20, 2004. Claims 9, 12, 13, 17, 21, 32, and 36 have been amended and Claims 39-44 have been added by way of the present Amendment.

Claims 1-4 and 6-8 have been canceled from the present application, and therefore the objections and rejections thereof have been rendered moot. Thus, the Applicants request the withdrawal of the claim objection of Claim 3, the rejections of Claims 1-4 and 8 under 35 U.S.C. 102(b), and the double patenting rejection of Claims 6 and 7.

Claim 5 was indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of Claim 5 has been rewritten in independent form as new Claim 43, and the claim objection to Claim 5 has been addressed by changing "said nozzle" to "a nozzle." Thus, the Applicants submit that Claim 43 is in condition for allowance. Claim 44 is allowable for the reasons submitted for Claim 43.

The Applicants submit that independent Claims 9, 12, 13, 22, 24, and 37 are allowable over the cited references.

The Applicants submit that the Kasahara et al. reference (JP 2000-227706) does not disclose all of the limitations recited in Claims 9, 12, 13, 22, 24, and 37 of the present

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application. For example, the Kasahara et al. reference does not disclose a mouth portion having a first wall connected to a toner outlet passage of a toner portion or means for storing toner, where the mouth portion has an outlet formed in a side wall thereof and a second wall opposite to the first wall, and where the second wall does not include an outlet for the toner, as is apparent from a review of Figure 3 of the Kasahara et al. reference.

The Applicants also submit that the Nagasaki et al. reference (U.S. Patent No. 5,835,822) does not disclose all of the limitations recited in Claims 9, 12, 13, 22, 24, and 37 of the present application. For example, the Nagasaki et al. reference does not disclose a mouth portion having *a first wall connected to a toner outlet passage of a toner portion or means for storing toner*, where the mouth portion has *an outlet formed in a side wall* thereof and *a second wall opposite to the first wall, and where the second wall does not include an outlet for the toner*, as is apparent from a review of Figures 36A and 36B of the Nagasaki et al. reference.

The Applicants further submit that the Kato et al. reference (U.S. Patent No. 4,937,625) does not disclose all of the limitations recited in Claims 9, 12, 13, 22, 24, and 37 of the present application. For example, the Kato et al. reference does not disclose a developer container comprising a toner portion made of a flexible film, as recited in Claim 9. The Kato et al. reference also does not disclose a developer container comprising, among other features, a valve that includes a shutter comprising a seal member formed of foam sponge and closing an outlet, where the seal member is formed with a slit, as recited in Claim 12. The Kato et al. reference also does not disclose a developer container comprising, among

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other features, a valve including a shutter comprising a biasing member, a shutter member constantly biased by the biasing member from an inside toward an outside of the developer container and movable between a closing position for closing a passage and an opening position for opening the passage, and a seal member disposed in the passage and slidable on the shutter member held in the closing position, as recited in Claim 13. The Kato et al. reference also does not disclose an image forming apparatus comprising, among other features, a developer container removably mounted to the image forming apparatus and storing a toner, air feeding means for feeding air under pressure into the developer container; and a substantially hermetically sealed passage extending from the developer container to a position to which the toner should be replenished, as recited in Claims 22 and 37. The Kato et al. reference also does not disclose a developer container comprising, among other features, means for storing toner as disclosed in the specification of the present application or equivalents thereof, as recited in Claims 24 and 37.

Accordingly, the Applicants respectfully submit that Claims 9, 12, 13, 22, 24, and 37 are in condition for allowance. The claims that depend from Claims 9, 12, 13, 22, 24, and 37 are allowable for at least the reasons presented for the claims from which depend.


Care has been taken such that no new matter has been entered by the amendments set forth herein. The Applicants submit that all of the new claims have support in the original specification including the written description, drawings, and claims of the present application.

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It is respectfully submitted that the present application is in condition for formal allowance and an early and favorable consideration of this application is therefore requested.

Respectfully Submitted,

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